

**REMARKS**

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for allowing claim 20 and indicating that claim 15 contains allowable subject matter.

**Disposition of Claims**

Claims 1, 2, 4, 7-17, and 20 are pending in this application. Claims 1, 17, and 20 are independent. The remaining claims depend, directly or indirectly, from claim 1.

**Rejections under 35 U.S.C. § 103**

Claims 1-2, 4, 7-12, and 16-17 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,163,316 (“Killian”) in view of U.S. Patent No. 6,359,661 (“Nickum”). Independent claims 1 and 17 have been amended by this reply to clarify that priority data as defined in the present application indicates a priority of a user with respect to *other users* of the terminal. Support for this amendment may be found, for example, on page 14, lines 1-12, of the specification. To the extent that this rejection may still apply to the amended claims, this rejection is respectfully traversed.

The claimed invention relates to a terminal for processing digital audio-visual or multimedia data. The terminal includes a data processing system and memory. The data processing system stores a plurality of user profiles in memory. Further, each user profile includes user profile data related to characteristics or references of a user of the terminal. Additionally, the user profile data includes resource data and priority data. The resource data indicates resources within the terminal that are accessible by the user, and the priority data indicates a priority that the user has with respect to *other users* accessing the resources of the terminal and the external device. Specifically, each user profile has a unique and characteristic user ID and one or more priority values determine the priority of that particular user relative to other users in obtaining one or more terminal resources. For example, in one or more embodiments, a terminal of the present invention provides different resources and external devices to different users using resource data and “negotiates” the users’ access to the provided resources and external devices using priority data of a particular user relative to the priority data of other users of the terminal.

As admitted by the Examiner on page 3 of the Office Action mailed January 10, 2005, Killian fails to explicitly teach priority data indicating a priority of a user with respect to other users that access the resources of the terminal and the external device. However, the Examiner asserts that Nickum discloses priority data as defined in the claimed invention. Nickum relates to a method for controlling access to television programming using a remote control device. Specifically, the remote control device contains program control data that is created and modified by a user with a master control ID. Nickum is completely silent with respect to priority data associated with a particular user that is relative to priority data of *other users*, as required by amended independent claim 1. Rather, the cited portions of Nickum only disclose *access levels*, which dictate what actions a user is allowed to perform, *i.e.*, “view only” access is defined as a user able to view only programming not explicitly restricted, “profile” access is defined as “view only” access plus the ability to manipulate its user profile, “control” access is defined as complete access to all programs and manipulation of its user profile (See Nickum, col. 6, ll. 44-57). However, the access levels disclosed in Nickum do not give one user priority over another user. In fact, the system disclosed in Nickum is not designed for a case where two users may be in conflict with one another, whereas the claimed invention is specifically designed so that priority data allows a conflict between two users to be resolved by allowing the user with higher priority to access the terminal before the user with a lower priority (See Specification, page 2, lines 21-23).

Thus, the access levels disclosed in Nickum are not equivalent to the priority data of the claimed invention because the priority data recited in the claims is relative to other users accessing resources of the terminal and does not dictate what a user is capable of doing. In fact, the present application discloses that the user profile may include data relating to the actions permitted by each user *in addition to* the priority data (See Specification page 3, lines 1-2).

Further, neither Killian nor Nickum disclose or suggest the user of priority data for users with respect to external devices. As defined by the present invention, an external device may be any device connected to the terminal, *e.g.*, a connection television, where the terminal supplies audiovisual data to the television display (See Specification, page 13, lines 11-12). Although Killian may disclose an external device, neither Killian nor Nickum disclose using priority data as defined above to determine the priority of a user with respect to other users when accessing the external device.

In view of the above, it is clear that independent claim 1 is patentable over Killian and Nickum, whether considered separately or in combination. Dependent claims 2, 4, 7-12, and 15-16 are allowable for at least the same reasons. Further, independent claim 17 has been amended to include similar allowable subject matter and is therefore patentable over Killian and Nickum for at least the same reasons described above with respect to claim 1. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 13-14 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Killian and Nickum and further in view of Admitted Prior Art (APA). This rejection is respectfully traversed.

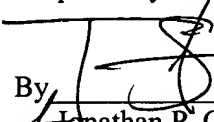
As described above, both Killian and Nickum fail to render independent claim 1 obvious. Further, APA fails to supply that which Killian and Nickum lack. Specifically, APA fails to disclose or suggest a user profile including priority data, where the priority data indicates a priority of a user with respect to other users that access the resources of the terminal and the external device. Thus, it is clear that amended independent claim 1 is patentable over Killian, Nickum, and APA, whether considered separately or in combination. Dependent claims 13 and 14 are allowable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

## Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 11345/026001).

Dated: April 8, 2005

Respectfully submitted,

By  #45,079  
Jonathan P. Osha THOMAS SCHERER  
Registration No.: 33,986  
(713) 228-8600  
(713) 228-8778 (Fax)  
Attorney for Applicant